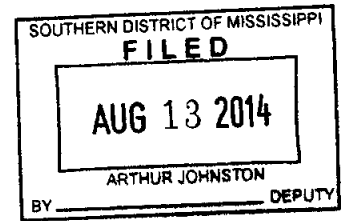


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION



DOUGLAS HANDSHOE	*	CASE NO. 14-cv-159
	*	
VERSUS	*	JUDGE: KEITH STARRETT
	*	
DANIEL G. ABEL	*	MAG. JUDGE: MICHAEL T. PARKER
	*	

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MOTION TO SEAL EXHIBITS  
AND PROPOSED ORDER TO BRIEF ISSUES

Defendant Daniel G. Abel does not live in Mississippi nor does he have contracts with the State and have filed the appropriate Fed. R. Civ. P. 12 to dismiss or transfer. However the exhibit referencing the minor child is still viewable through PACER. Mr. Abel makes this appears for the purposes limited to the pleadings filed at this time.

Mr. Daniel G. Abel moves the Honorable Court to review the drawings which Mr. Handshoe has placed into the record of the original complaint [Rec. doc.1. passim] which are evidence of Mr. Handshoe's ongoing cyber-staking of a minor child and his father, which actions have already been reported to the United States Department of Justice, and discussed with the United States Attorney and the Federal Bureau of Investigation.

Mr. Handshoe has published these drawing and his comments on his website slabbed.org. Mr. Handshoe's cyber-stalking of the minor child and his father appear to violate Mississippi's cyber-stalking and cyber-harassment laws: Miss. Code §§ 97-45-15, 97-45-17, 97-3-107, Miss. Code § 97-29-45 - [Cyber-Harassment] and those of Louisiana as well: La. Rev. Stat. §§ 14:40.2, 14:40.3.

The exhibit Mr. Handshoe filed with his original petition in this matter is the identical

**ORIGINAL**

materials and drawing he posted on slabbed.org that the 24<sup>th</sup> Judicial District Court for the Parish of Jefferson, in the State of Louisiana, ordered removed from the internet.

THE COURT IS ASKED TO ACT UNDER FRCP 5.2 (A)

Mr. Abel moves the Court to issue all appropriate orders and require all appropriate actions under FEDERAL RULE OF CIVIL PROCEDURE 5.2 (a) and all other code articles, uniform or local rules.

This submission is made without waiving any of the Defendant's right to claim exceptions under the Federal Rules of Civil Procedure and is made in the interest of a minor child's well being.

Plaintiff has filed a dubious action for "misrepresentation" under the Digital Millennium Copyright Act against Defendant, who is Louisiana attorney for the father and guardian of a minor child in a state court divorce proceeding. He has sole custody of the child and the mother has limited supervised visitation.

The salient facts include that the record of the divorce proceeding has been ordered sealed by a judge of Louisiana's 24th Judicial District, and that the Defendant has been ordered by that court to seek removal of a sexually-explicit drawing authored by the minor child involved in the divorce from publication on the Plaintiff's web site, "Slabbed." Plaintiff is aware of the sealing order.

Plaintiff frequently uses the PACER system. The PACER system publishes the following advisory: IMPORTANT NOTICE OF REDACTION RESPONSIBILITY: All filers must redact: Social Security or taxpayer-identification numbers; dates of birth; names of minor children; financial account numbers; and, in criminal cases, home addresses, in compliance with Fed. R. Civ. P. 5.2 or Fed. R. Crim. P. 49.1. This requirement applies to all documents, including attachments.

Plaintiff is in prima facie violation of Federal Rule of Civil Procedure 5.2(a), adopted in

2007: [u]nless the court orders otherwise, in an electronic or paper filing with the court that contains . . . the name of an individual known to be a minor . . . a party or nonparty making the filing may include only . . . the minor's initials . . ." Fed. R. Civ. P. 5.2(a).

Plaintiff has not only identified the minor child, but also published the sexually-explicit drawing sealed by the Louisiana court on PACER. The court has also ordered custody to remain with the father.

Congress's ratification of Rule 5.2(a) makes clear its judgment that the interest of minors in privacy is greater than the public's interest in learning their names, even when there is no particular threat to the juvenile's well-being, which is far from the case here.

The Federal Rules of Civil Procedure reflect a public policy of protecting juveniles from the harm that can befall them as a result of disclosing their identities in the course of litigation.

In this instance, Plaintiff has falsely accused the minor child of being molested by his father and, in a bizarre conspiracy theory only comprehensible to the Plaintiff, by a series of gay men. Plaintiff has written that the drawing depicts the minor child being sodomized by "gay robots." This was not the conclusion either of the Louisiana judge or the court-ordered psychological expert.

The harm being done to the minor child by repeatedly publishing—first on Slabbed and now on PACER—allegations that the child has been molested and sodomized by multiple parties cannot be overstated.

This honorable court should immediately order the removal of the drawing from publication, and that the Plaintiff's filings comply with Federal Rule 5.2(a).

Respectfully submitted,

DANIEL ABEL

Daniel G. Abel  
2421 Clearview Pkwy.  
Metairie, LA 70001  
Telephone: 504.284.8521  
Facsimile: 888.577.8815

Certificate of Service

DANIEL ABEL

I have filed this pleading by USPS Mail  
with the Clerks of Court and also sent a  
copy by USPS mail to Mr. Handshoe and  
on 11 August 2014.

CC: US Attorney Kenneth Polite  
U.S. Attorney's Office  
650 Poydras Street  
New Orleans, LA 70130

US Attorney Gregory K. Davis  
U.S. Attorney's Office  
501 East Court Street  
Suite 4.430  
Jackson, Mississippi 39201

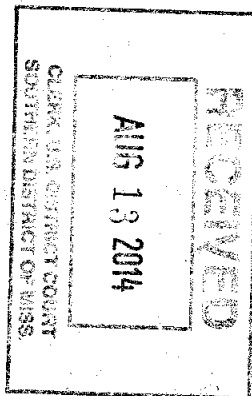
Served Long-Arm by USPS Mail  
On This 1 July 2014 To the Addresses  
Provided on the Summons:

Douglas Handshoe  
P.O. Box 788  
Wiggins, MS. 39577

and

Douglas Handshoe  
110 Hall Street  
Wiggins, MS. 39577

Daniel G. Abel  
2421 Clearview Pkwy.  
Metairie, LA 70001



United States District Court  
Dan M. Russell, Jr., United States Courthouse  
2012 15<sup>th</sup> Street, Suite 403  
Gulfport, MS 39501

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